

September 27, 2011

NOTICE OF MEETING

Notice is hereby given that the Village of Spring Valley will meet in the Village Hall, Senator Gene Levy Municipal Plaza, 200 North Main Street, Spring Valley, New York on Tuesday, September 27, 2011 at 8:00 p.m.

Sherry M. Scott
Village Clerk

Dated: Spring Valley, New York
September 16th, 2011

**BOARD OF TRUSTEES
SPRING VALLEY, NEW YORK**

The Board of Trustees of the Village of Spring Valley convened in regular session pursuant to adjournment of September 1, 2011 (Special Meeting).

A Roll Call being taken, the following were present and answered to their names:

Noramie F. Jasmin	Mayor
Joseph A. Desmaret	Deputy Mayor
Anthony Leon	Trustee
Joseph Gross	Trustee
Demeza Delhomme	Trustee (Arrived Late)
Kevin T. Conway	Village Attorney
Sherry M. Scott	Village Clerk

Trustee Gross led the assembly in the salute to the flag.

The invocation was delivered by Deputy Mayor Desmaret.

Referral No. 2058

**RESOLUTION NO. 515 OF 2011
APPROVING MINUTES OF
AUGUST 23, 2011
SEPTEMBER 1, 2011 (SPECIAL MEETING)**

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Leon and unanimously adopted:

RESOLVED, that the transcribed minutes of the Village of Spring Valley meeting held on August 23, 2011 and September 1, 2011(Special Meeting) as recorded by the Clerk and presented to the Board are hereby adopted.

Trustee Delhomme Arrived at the meeting.

September 27, 2011

Referral No. 2059

**RESOLUTION NO. 516 OF 2011
OPEN PUBLIC PARTICIPATION**

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Gross and unanimously adopted:

WHEREAS, the public participation portion of the meeting is opened; now, therefore, it is hereby

RESOLVED, that the following person(s) addressed the Board and participated in this portion of the meeting (There were no speakers).

Referral No. 2059

**RESOLUTION NO. 517 OF 2011
CLOSE PUBLIC PARTICIPATION**

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Leon and unanimously adopted:

WHEREAS, the Village Board of Trustees closed the public participation portion of the meeting; now, therefore, it is hereby

RESOLVED, that the public participation portion of the meeting is hereby closed.

Referral No. 2029

**RESOLUTION NO. 518 OF 2011
ACCEPT SPRING VALLEY FIRE DEPARTMENT
MEMBERSHIP REPORT DATED MARCH 10, 2011**

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Leon and Trustee Gross and unanimously adopted.

WHEREAS, the Mayor of the Village of Spring Valley accepts the Spring Valley Fire Department Membership Report dated March 10, 2011; and

WHEREAS, such acceptance requires the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees hereby accepts the Spring Valley Fire Department Membership Report dated March 10, 2011 as follows:

Tori Faber	Dropped	Rockland Hook & Ladder Co.
Craig Wolf	Dropped	Rockland Hook & Ladder Co.
Aurelie Joseph	Accepted	Rockland Hook & Ladder Co.

September 27, 2011

Referral No. 2001

**RESOLUTION NO. 519 OF 2011
APPOINT RONELL CHARLES
TO THE POSITION OF POLICE OFFICER**

Deputy Mayor Desmaret offered the following resolution, which was seconded by the entire Board and unanimously adopted:

WHEREAS, Mayor Jasmin appointed Ronell Charles to the position of Police Officer; and

WHEREAS, such appointment requires the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees hereby appoints Ronell Charles to the position of Police Officer, effective October 13, 2011.

Referral No. 2001

**RESOLUTION NO. 520 OF 2011
APPOINT KEITH GONZALEZ
TO THE POSITION OF POLICE OFFICER**

Deputy Mayor Desmaret offered the following resolution, which was seconded by the entire Board and unanimously adopted:

WHEREAS, Mayor Jasmin appointed Keith Gonzalez to the position of Police Officer; and

WHEREAS, such appointment requires the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees hereby appoints Keith Gonzalez to the position of Police Officer, effective October 13, 2011.

Debate:

Mayor Jasmin

I have confidence in both of you that you will serve to the best of your abilities. We have a great Police Department. I am their number one fan. I always compliment them on their great work. I hope you can carry the task because it is not going to be an easy task. Again, be mindful that we have a diverse Village and I hope you serve them well.

Chief Modica

The Police Department is particular about who we hire. We know the characteristics and the type of person to be police officers to serve the people of the Village of Spring Valley. It is a very diverse community and this Police Department probably has the most diverse Police Department in New York State other than New York City, probably the most diverse Police Department in the Country. No doubt in my mind that these Police Officers will do a fantastic job for the residents of Spring Valley and we look forward to working with them for another twenty years.

September 27, 2011

Referral No. 2032

**RESOLUTION NO. 521 OF 2011
APPROVE THE REQUEST FROM THE VILLAGE CLERK
TO REFUND CHANA GOLDMAN,
9 ZEISSNER LANE RETAINER FEE**

Trustee Gross offered the following resolution, which was seconded by Trustee Leon and unanimously adopted:

WHEREAS, the Village Clerk has requested the refund for Chana Goldman, 9 Zeissner Lane, Spring Valley, NY whose project has been completed; and

WHEREAS, the applicants are entitled to a refund subject to any balance held by the Village of Spring Valley for Planning Consultant or publishing fees; and

WHEREAS, it is necessary for the Village of Spring Valley Board of Trustees to approve the request; now, therefore, it is hereby

RESOLVED, that the Village Board of Trustee approve the request from the Village Clerk to refund unused Planning Board fees to Chana Goldman, 9 Zeissner Lane, Spring Valley, NY in the amount of \$482.50.

Referral No. 2032

**RESOLUTION NO. 522 OF 2011
APPROVE THE REQUEST FROM
THE VILLAGE CLERK TO REIMBURSE
AMERICAN SIDING/WINDOWS, ROOFING LLC
FOR A BID SECURITY DEPOSIT
PLACED FOR THE MARTIN
LUTHER KING ROOF REPAIR BID**

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Leon and unanimously adopted:

WHEREAS, the bid on the Martin Luther King Roof Project was rejected; and

WHEREAS, the Village Clerk request that the bid received from American Siding/Windows, Roofing LLC in the amount of \$1000.00 for a Bid Security Deposit be refunded; and

WHEREAS, it is necessary for the Village Board of Trustees to approve the request from the Village Clerk; now, therefore, it is hereby

RESOLVED, that the Village Board of Trustees of the Village of Spring Valley approves the request from the Village Clerk to refund the amount of \$1000.00 to American Siding/Windows, Roofing LLC for a Bid Security Deposit for the Martin Luther King roof repair project.

September 27, 2011

Referral No. 2060

**RESOLUTION NO. 523 OF 2011
APPROVE THE REQUEST FROM
SPRING VALLEY ROTARY TO HOLD A COIN DROP**

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Gross and unanimously adopted:

WHEREAS, Spring Valley Rotary has requested permission to organize a coin drop to purchase school supplies for youth in the community, in addition to donations to various community programs serving the elderly and homeless in the Village of Spring Valley; and

WHEREAS, such request require the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves the request from Spring Valley Rotary to organize a “coin drop” to purchase school supplies for youth in the community, in addition to donations to various community programs serving the elderly and homeless in the Village of Spring Valley, October 15, 2011, November 5, (rain date November 6), November 26 and 27, 2011.

Referral No. 2030

**RESOLUTION NO. 524 OF 2011
AUTHORIZING PAYMENT OF BILLS
FOR THE VILLAGE OF SPRING VALLEY**

Trustee Delhomme offered the following resolution, which was seconded by Deputy Mayor Desmaret and unanimously adopted:

WHEREAS, the Village of Spring Valley through its various departments had made certain expenditures pursuant to the appropriations contained in the Village of Spring Valley 2011/2012 adopted budget; and

WHEREAS, Mayor Noramie Jasmin and the members of the Village of Spring Valley Board of Trustees have reviewed bills to be paid reflecting such expenditures; and

WHEREAS, such payments require the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED that the Village of Spring Valley Board of Trustees hereby approves the payment of the bills of the Village of Spring Valley set forth below and authorizes the Treasurer of the Village of Spring Valley to pay such bills.

APPROVAL OF ABSTRACTS

DATE: September 27, 2011

GENERAL ABSTRACT #2011/16

Amount \$236,342.03 Claim #56021834 thru 56022046

September 27, 2011

CAPITAL ABSTRACT #2011/C3Amount \$1,003.50 Claim #56022021 thru 56022021

Referral No. 2030**RESOLUTION NO. 525 OF 2011
AUTHORIZING PAYMENT OF BILLS
FOR THE VILLAGE OF SPRING VALLEY
(APPROVAL OF POST AUDIT)**

Trustee Delhomme offered the following resolution, which was seconded by Deputy Mayor Desmaret and unanimously adopted:

Whereas, the Village of Spring Valley through its various departments had made certain expenditures pursuant to the appropriations contained in the Village of Spring Valley 2011/2012 adopted budget; and

WHEREAS, Mayor Noramie Jasmin and the members of the Village of Spring Valley Board of Trustees have reviewed bills to be paid reflecting such expenditures; and

WHEREAS, such payments require the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED that the Village of Spring Valley Board of Trustees hereby approves the payment of the bills of the Village of Spring Valley set forth below and authorizes the Treasurer of the Village of Spring Valley to pay such bills.

POST AUDITED GENERAL ABSTRACT #2011/7**DATED:** September 27, 2011Amount \$1,004,618.50 Claim #56021803 thru #56022047

Referral No. 2043**RESOLUTION NO. 526 OF 2011
AUTHORIZATION FOR MARY J. RHODES,
DEPUTY VILLAGE TREASURER AND
MARTINE NARCISSE, OFFICE SERVICE AIDE
TO ATTEND THE 2011 NYSHIP REGIONAL MEETING**

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Leon and unanimously adopted:

WHEREAS, the Village Treasurer has requested that Mary J. Rhodes and Martine Narcisse attend the 2011 NYSHIP Regional Meeting; and

WHEREAS, it is necessary for the Village of Spring Valley Board of Trustees to approve the request; now, therefore, it is hereby

September 27, 2011

RESOLVED, that the Village Board of Trustee approves the request from the Village Treasurer for Mary J. Rhodes, Deputy Village Treasurer who is responsible for Benefits & Payroll and Martine Narcisse, Office Service Aide to attend the 2011 NYSHIP Regional Meeting for participating agencies and health benefits administrators, October 5, 2011 at the Crowne Plaza in Suffern, NY from 9:30 a.m. until 3:00 p.m., at no cost for the workshop; however, authorization for any other related expenses are approved.

Referral No. 2030/2064

**RESOLUTION NO. 527 OF 2011
AUTHORIZING PAYMENT OF BILLS
FOR THE VILLAGE OF SPRING VALLEY
COMMUNITY DEVELOPMENT AND HOUSING**

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Leon and unanimously adopted:

WHEREAS, the Village of Spring Valley through its various departments had made certain expenditures pursuant to the appropriations contained in the Village of Spring Valley 2011/2012 adopted budget; and

WHEREAS, Mayor Noramie F. Jasmin and the members of the Village of Spring Valley Board of Trustees have reviewed bills to be paid reflecting such expenditures; and

WHEREAS, such payments require the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED that the Village of Spring Valley Board of Trustees hereby approves the payment of the bills of the Village of Spring Valley set forth below and authorizes the Treasurer of the Village of Spring Valley to pay such bills.

**APPROVAL OF ABSTRACTS
COMMUNITY DEVELOPMENT AND HOUSING
ABSTRACT #544**

<u>Section 8 Program</u>	<u>Claimant</u>	<u>Amount</u>
5138	Nelrod – payment #141/142/143 (199x3) (August Meal Supervision at Site)	\$ 597.00
5139	Barrett CPA, PC	\$2,456.55
5140	Tenant Tracker, Inc. – Inv. #322771 & 324961	\$ 110.00
Total Section 8 Program Abstract for Village Board Approval.....		\$3,163.55

September 27, 2011

Referral No. 2032

RESOLUTION NO. 528 OF 2011
APPROVE THE REQUEST FROM THE VILLAGE ASSESSOR
TO REFUND 60 EAST ECKERSON, LOT 50.64-1-1, FOR OVER-ASSESSMENT,
SUBJECT TO THE REVIEW BY THE VILLAGE TREASURER

Trustee Delhomme offered the following resolution, which was seconded by Trustee Gross and unanimously adopted:

WHEREAS, the Village Assessor has reached a settlement agreement regarding over-assessment for 60 East Eckerson, which is a 48-unit apartment building; and

WHEREAS, a refund in the amount of \$16,545 is requested by the Village Assessor; and

WHEREAS, such request requires the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees approves the request from the Village Assessor, Laurence Holland, authorization for the Village Treasurer to refund 60 East Eckerson , Lot 50.64-1-1 in the amount of \$16,545 for over-assessment, subject to a review by the Village Treasurer.

Debate:

Trustee Delhomme

I asked the Board to just wait on those issues. I have to look at them further. We are paying too much money. Maybe we should set aside certain ones. Those big ones, for example; \$254,000 and \$348,000 to pay back. I ask because I would like to go to New York State to see if we can get someone to help us. In the meantime, if it is the pleasure of the Board can we set them aside so that I can see if I can get something done so that we do not have to pay all this money to these people? We need to find out if we made a mistake or not.

Mayor Jasmin

So, the two large numbers we will reserve for the next meeting. Items 10c and 10e.

Referral No. 2032

RESOLUTION NO. 529 OF 2011
APPROVE THE REQUEST FROM THE
VILLAGE ASSESSOR TO REFUND KENNEDY ENTERPRISES,
LINDA COURT APTS., 7-141 HEITMAN DRIVE, LOT 57.69-1-2,
SUBJECT TO THE REVIEW BY THE VILLAGE TREASURER

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Gross and unanimously adopted:

WHEREAS, the Village Assessor, is recommending that a refund of \$97,585, Kennedy Enterprises (Linda Court Apts.) 7-141 Heitman Drive, lot 57.69-1-2, as overpayment be made; and

September 27, 2011

WHEREAS, such recommendation requires the approval of the Village of Spring Valley Board of Trustees; now therefore it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approve the request from the Village Assessor, to refund \$97,585 for lot 57.69-1-2, Kennedy Enterprises (Linda Court Apts.) 7-141 Heitman Drive, Spring Valley, NY, as overpayment, subject to review by the Village Treasurer.

The next item on the agenda, Approve the Request from the Village Assessor to Refund West Central/Latov, Lots 857.46-1-44, 857.46-1-1.1, 57.46-1-1 and 56.46-1-44 in the Amount of \$254,390 for Over-Assessment for Tax Years 2002-2011, Subject to a Review by the Village Treasurer, was pulled until the next meeting.

Referral No. 2032

**RESOLUTION NO. 530 OF 2011
APPROVE THE REQUEST FROM THE
VILLAGE ASSESSOR TO REFUND VALLEY VIEW ASSOCIATES,
LOT 57.55-1-3, 15-25 WEST FUNSTON FOR OVER-ASSESSMENT,
SUBJECT TO THE REVIEW BY THE VILLAGE TREASURER**

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Leon and unanimously adopted:

WHEREAS, the Village Assessor, is recommending that a refund of \$43,076, Valley View Associates, lot 57.33-1-3, 15-25 West Funston as overpayment be made; and

WHEREAS, such recommendation requires the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approve the request from the Village Assessor, to refund \$43,076, Valley View Associates, lot 57.33-1-3, 15-25 West Funston, Spring Valley, NY, as overpayment, subject to review by the Village Treasurer.

The next item on the agenda, Approve the Request from the Village Assessor to Refund Knoll Manor, Victoria Gardens, Lot 49.67-1-2, in the Amount of \$348,670 for Over-Assessment, Subject to a Review by the Village Treasurer, was withdrawn until the next meeting.

Referral No. 2041

**RESOLUTION NO. 531 OF 2011
APPROVAL TO GRANT A RETROACTIVE TAX EXEMPTION FOR 33 WEST
CHURCH STREET, ROCK APOSTOLIC CHURCH FOR TAX YEARS 2008 AND 2009,
SUBJECT TO THE REVIEW OF THE VILLAGE TREASURER**

Trustee Gross offered the following resolution, which was seconded by Trustee Leon and unanimously adopted:

September 27, 2011

WHEREAS, the Village Assessor, Laurence Holland requested a retroactive tax exemption for 33 West Church Street, Rock Apostolic Church for tax years 2008 and 2009; and

WHEREAS, the Town of Ramapo Assessor's Office and Director of the Rockland County Real Property Tax Service advised the request which was made from the Village Assessor; and

WHEREAS, such request requires approval from the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED, that the Board of Trustees of the Village of Spring Valley approves the request from the Village Assessor, Laurence Holland to grant a retroactive tax exemption for 33 West Church Street, Rock Apostolic Church, Lot 57.39-1-52 for tax years 2008 and 2009.

Referral No. 3029

**RESOLUTION NO. 532 OF 2011
APPROVAL OF THE REQUEST FROM THE BUILDING INSPECTOR,
WALTER BOOKER, TO ROLLOVER TWELVE DAYS OF
UNUSED VACATION TIME DUE TO THE INABILITY TO UTILIZE
THE TIME BEFORE THE ANNIVERSARY DATE, UNDER THE
JOB TITLE AS ASSISTANT BUILDING INSPECTOR**

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Leon and unanimously adopted:

WHEREAS, the Building Inspector, Walter Booker, has requested permission to rollover unused vacation time due to the inability to utilize it before his anniversary date; and

WHEREAS, twelve days were left from the accrued vacation time under the job title of Assistant Building Inspector; and

WHEREAS, it is necessary for the Village of Spring Valley Board of Trustees to approve the request; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees approves the request from the Building Inspector, Walter Booker, to rollover unused vacation time not used before his anniversary under the title of Assistant Building Inspector, a total of twelve days.

Referral No. 2097

**RESOLUTION NO. 533 OF 2011
APPROVE THE REQUEST FROM THE LEGAL DEPARTMENT TO ADOPT A
RESOLUTION SPECIFICALLY FOR THE LOAN TO SPRING VALLEY HOUSING
DEVELOPMENT FUND CORP. FOR THE RECONSTRUCTION OF COOPERATIVE
BUILDING ON COLUMBUS AVENUE, SERIAL BONDS FOR \$750,000.00**

Trustee Delhomme offered the following resolution, which was seconded by Trustee Gross and unanimously adopted:

September 27, 2011

WHEREAS, the Village's Bond Counsel requires that the Board of Trustees adopt a further resolution more specifically for the loan of the funds to Spring Valley Housing Development Fund Corp. for the reconstruction of cooperative building on Columbus Avenue; and

WHEREAS, the total for the Serial Bonds is for \$750,000.00; and

WHEREAS, the further resolution makes specific reference to subdivision 41 of the Local Finance Law which applies to loans to limited profit housing companies; and

WHEREAS, it is necessary for the Village of Spring Valley Board of Trustees to approve the request; now, therefore, it is hereby

RESOLVED, that the Village Board of Trustees approve the request from the Legal Department to adopt a further resolution more specifically for the loan of the funds to Spring Valley Housing Development Fund Corp. for the reconstruction of cooperative building on Columbus Avenue for a total of the Serial Bonds in the amount of \$750,000.00; and be it further

RESOLVED, that further resolution makes specific reference to subdivision 41 of the Local Finance Law which applies to loans to limited profit housing companies.

Roll Call Vote:

AYES: 5 – Mayor Jasmin, Deputy Mayor Desmaret, Trustee Leon, Trustee Gross, Trustee Delhomme

NAYS: 0

ABSENT: 0

Debate:

Trustee Delhomme

Although we have passed this, I wish there was a stipulation made that the contractors would look for local. The unemployment is so high we have enough kids in the streets.

Mayor Jasmin

I think we should to speak to their Board. That's a good thing.

Trustee Delhomme

I spoke to the President about it so that they could hire some kids to clean and help them. They are going to need people to help them with windows, garbage and other things. The Board should make an effort to speak to their Board to make sure they feel that we make sure that they hire local kids to make some money.

The next item on the agenda, Authorization for Rockland County Solid Waste Management Authority (RCSWMA) to go out to Bid for Solid Waste Pickup in the Village of Spring Valley Starting January 1, 2012.

Debate:

Mayor Jasmin

This item will be pulled at the request of Trustee Gross. We will have a meeting and hopefully agree to schedule a special meeting.

September 27, 2011

Referral No. 2034

**RESOLUTION NO. 534 OF 2011
APPROVAL OF THE HI-TOR ANIMAL
CARE CENTER, INC. AGREEMENT**

Trustee Gross offered the following resolution, which was seconded by Deputy Mayor Desmaret and unanimously adopted:

WHEREAS, the Legal Department request that the agreement between the Village of Spring Valley and the Hi-Tor Animal Care Center, Inc. be adopted; and

WHEREAS, it is necessary for the Village Board of Trustees to approve the agreement; now, therefore, it is hereby

RESOLVED, that the Village Board of Trustees of the Village of Spring Valley approves the request from the Legal Department to adopt the agreement between the Village of Spring Valley and Hi-Tor Animal Care Center, Inc.

Referral No. 2051

**RESOLUTION NO. 535 OF 2011
AUTHORIZATION FOR THE VILLAGE TREASURER TO
TRANSFER TO THE VILLAGE'S GENERAL FUND ALL SUMS
ON DEPOSIT IN THE TRUST & AGENCY ACCOUNT FOR ALL
YEARS THROUGH DECEMBER 31, 2009**

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Leon and unanimously adopted:

WHEREAS, there is a considerable amount of money in the Village's Trust & Agency Account which has been deposited over many years and does not earn interest; and

WHEREAS, these monies represent deposits for political signs, deposits for professional services, retainers for the Planning Board, bonds for building permits, performance bonds, park usage and plans and specifications; and

WHEREAS, the persons and corporations who gave these funds to the Village have not asked for the return of the funds; and

WHEREAS, they are no longer entitled to a refund; and

WHEREAS, the Legal Department recommend that the Board authorize the Village Treasurer to transfer to the Village's general fund all sums on deposit in the Trust & Agency Account for all years through December 31, 2009; and

WHEREAS, should the Village thereafter receive a request for return of monies from the person whose funds have been transferred, proof will be shown that the person/corporation are entitled to have the return or refund; and

WHEREAS, the determination will be on a case by case basis; and

WHEREAS, it is necessary for the Village of Spring Valley Board of Trustees to approve the request; now, therefore, it is hereby

September 27, 2011

RESOLVED, that the Village of Spring Valley Board of Trustees approves the request from the Legal Department to authorize the Village Treasurer to transfer to the Village's general fund all sums on deposit in the Trust & Agency Account for all years through December 31, 2009; and be it further

RESOLVED, that should the Village thereafter receive a request for return of monies from the person whose funds have been transferred, proof will be shown that the person/corporation are entitled to have the return or refund, the determination will be on a case by case basis.

Referral No. 2034

**RESOLUTION NO. 536 OF 2011
APPROVAL OF AGREEMENT WITH VHB ENGINEERING TO PREPARE
AMENDMENTS TO URBAN RENEWAL PLAN**

Trustee Gross offered the following resolution, which was seconded by Deputy Mayor Desmaret and unanimously adopted:

WHEREAS, VHB requested the adoption of a proposal for services related to amending the Urban Renewal Plan for downtown Spring Valley; and

WHEREAS, in April VHB prepared a minor plan amendment to the Urban Renewal Plan, as well as a short environmental assessment form, to remove one parcel from the proposed acquisition; and

WHEREAS, the services shall include planning for potential Urban Renewal Changes for the two blocks between Commerce/Lawrence and Grove Streets on the east and west side of Main Street and east to Jackson Street; and

WHEREAS, subsequent amendments to the draft April 2011 Urban Renewal Plan to include additional parcels for proposed acquisition and reflect the site planning; and

WHEREAS, it is necessary for the Village of Spring Valley Board of Trustees to approve the request; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees approves the request from VHB to adopt a proposal for services related to amending the Urban Renewal Plan for downtown Spring Valley.

Debate:

Mayor Jasmin

Since we have been moving along with Urban Renewal we progressively have been working very hard to make the face of Main Street a new face. I think it is better for us to move to the other side to amend and that is what we are doing. Another one that we amended is further down on Route 59, of Harley Davidson, hopefully that can be prepared by December so that we can move forward with this one. I would like to thank the Board for all of their efforts. That's part of moving forward.

September 27, 2011

Referral No. 2038/2081

**RESOLUTION NO. 537 OF 2011
AUTHORIZATION TO REJECT THE BID FOR
THE MARTIN LUTHER KING ROOF REPAIR
AND AUTHORIZE REBIDDING**

Trustee Gross offered the following resolution, which was seconded by Trustee Leon and unanimously adopted:

WHEREAS, there was one bid submitted for the Martin Luther King Center for roof repair; and

WHEREAS, the Legal Department is requesting that the bid be rejected in the amount of \$77,000+ and authorization for rebidding; and

WHEREAS, the request requires the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves the request from the Legal Department to reject the bid for the Martin Luther King Center in the amount of \$77,000+ and authorization for rebidding.

Referral No. 2037

**RESOLUTION NO. 538 OF 2011
APPROVE THE REQUEST FROM THE LEGAL DEPARTMENT TO INDEMNIFY
TWO POLICE OFFICERS AGAINST A CLAIM FILED PERTAINING TO AN
INCIDENT WHICH OCCURRED ON JUNE 22, 2011**

Trustee Leon offered the following resolution, which was seconded by Trustee Gross and unanimously adopted:

WHEREAS, a claimant has filed a notice of claim against the Spring valley Police Department and another officer arising out of an incident which occurred June 22, 2011; and

WHEREAS, the claimant claims she was falsely arrested and sustained personal injuries as a result of the actions of these officers; and

WHEREAS, the Legal Department feel that after careful review, it is clear that the officers acted within the scope of their duties and within department guidelines; and

WHEREAS, the Legal Department recommend that the Village Board agree to indemnify and defend the officers in this matter; and

WHEREAS, it is necessary for the Village of Spring Valley Board of Trustees to approve the recommendation; now, therefore, it is hereby

RESOLVED, that the Village Board of Trustees approve the recommendations from the Legal Department to defend and indemnify the police officers against any liability for damages alleged by the claimant from a reported incident dated June 22, 2011.

September 27, 2011

Referral No. 2037

**RESOLUTION NO. 539 OF 2011
APPROVAL OF A CIVILIAN RIDE ALONG WITH
THE SPRING VALLEY POLICE DEPARTMENT**

Trustee Gross offered the following resolution, which was seconded by Deputy Mayor Desmaret and unanimously adopted:

WHEREAS, a civilian who is a Criminal Justice Major at SUNY Rockland Community College has requested to take part in two rides along with a Spring Valley Police Officer to experience what police work is all about and to develop her career goals; and

WHEREAS, the Department has conducted a background investigation on the civilian; and

WHEREAS, at this time the civilian appears to be a suitable person for a ride along; and

WHEREAS, the civilian has signed a liability waiver and the Police Department has checked with Binder Agency to insure that she would be covered while riding in a police vehicle; and

WHEREAS, the civilian would only be observing daily police operations and will not be taking any law enforcement actions; and

WHEREAS, it is necessary for the Village of Spring Valley Board of Trustees to approve the request; now, therefore, it is hereby

RESOLVED, that the Village Board of Trustees approve the request from the Spring Valley Police Department for a civilian ride along to observe daily police operations.

Referral No. 2037

**RESOLUTION NO. 540 OF 2011
APPROVE THE REQUEST FOR OFFICER BROOKE TO
ATTEND A TRAINING CLASS OCTOBER 4 & 5, 2011,
“DRUG INTERVENTION TRAINING FOR EDUCATIONAL PROFESSIONALS”**

Trustee Leon offered the following resolution, which was seconded by Trustee Gross and unanimously adopted:

WHEREAS, the Spring Valley Police Department is requesting to have Dare/School Resource Officer Francis Brooke attend a training “Drug Intervention Training for Educational Professionals”; and

WHEREAS, it is a two day course outline taking place on October 4, and October 5, 2011 and the fee is \$175.00; and

WHEREAS, it is necessary for the Village of Spring Valley Board of Trustees to approve the request; now, therefore, it is hereby

RESOLVED, that the Village Board of Trustees approve the request from the Spring Valley Police Department for Spring Valley Police Dare/School Resource Officer Francis Brooke to

September 27, 2011

attend a training, "Drug Intervention Training for Educational Professionals", on October 4, and October 5, 2011, at a cost of \$175.00.

Referral No. 3032

**RESOLUTION NO. 541 OF 2011
APPROVE THE REQUEST FROM THE POLICE DEPARTMENT
TO DENY THE LIQUOR LICENSE FOR VIRGINIA PIZZA RESTAURANT**

Trustee Gross offered the following resolution, which was seconded by Trustee Leon and unanimously adopted:

WHEREAS, the Spring Valley Police Department has given their recommendation on the liquor license application for Virginia Pizza Restaurant located at 180 E. Central Avenue, Spring Valley, NY; and

WHEREAS, the Police Department recommends that the Village Board deny this request at this time; and

WHEREAS, the recommendation is based upon the history of the prior business and the density of establishments that already have on premise liquor licenses in Spring Valley and the potential effect this has on the crime rate and quality of life in the area; and

WHEREAS, it is necessary for the Village Board of Trustees to approve the request to deny a liquor license in the Village of Spring Valley; now, therefore, it is hereby

RESOLVED, that the Village Board of Trustees of the Village of Spring Valley approves the recommendation from the Spring Valley Police Department to deny a liquor license application filed for Virginia Pizza Restaurant located at 180 E. Central Avenue, Spring Valley, NY.

Referral No. 3032

**RESOLUTION NO. 542 OF 2011
APPROVE THE REQUEST FROM THE POLICE DEPARTMENT
TO DENY THE REQUEST FOR A LIQUOR LICENSE
FOR 23-25 KENNEDY DRIVE, SPRING VALLEY, NY**

Trustee Leon offered the following resolution, which was seconded by Deputy Mayor Desmaret and unanimously adopted:

WHEREAS, the Spring Valley Police Department has given their recommendation on the liquor license application for 23-25 Kennedy, Spring Valley, NY; and

WHEREAS, the Police Department recommends that the Village Board deny this request at this time; and

WHEREAS, the recommendation is based upon the history and type of police contact that the establishments at this address have had and the potential effect that excessive alcohol consumption has on the crime rate and quality of life in the surrounding area; and

September 27, 2011

WHEREAS, it is necessary for the Village Board of Trustees to approve the request to deny a liquor license in the Village of Spring Valley; now, therefore, it is hereby

RESOLVED, that the Village Board of Trustees of the Village of Spring Valley approves the recommendation from the Spring Valley Police Department to deny a liquor license application filed for 23-25 Kennedy Drive, Spring Valley, NY.

Referral No. 2043

**RESOLUTION NO. 543 OF 2011
AUTHORIZATION FOR JUSTICE CHRISTINE A. THEODORE TO
ATTEND THE JUDICIAL EDUCATION PROGRAM AT
JUDICIAL INSTITUTE, WHITE PLAINS, NEW YORK**

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Leon and unanimously adopted:

WHEREAS, the Justice Court Clerk has requested permission to send Justice Christine A. Theodore to the Judicial Education Program at Judicial Institute, White Plains, NY which is sponsored by the New York State Unified Court System; and

WHEREAS, such request requires the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves the request from the Justice Court Clerk to send Justice Christine A. Theodore to the Judicial Education Program at Judicial Institute, White Plains, NY, October 3, 4 and 5, 2011, at a cost for travel and any other related expenses.

Referral No. 2043

**RESOLUTION NO. 544 OF 2011
APPROVAL OF CONTRACT WITH COURT
STENOGRAPHER MELISA KELLY**

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Gross and unanimously adopted:

WHEREAS, the Legal Department has requested approval of the contract with Court Stenographer Melissa Kelly; and

WHEREAS, such request requires the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves the request from the Legal Department to approve the contract with Court Stenographer Melissa Kelly to be paid on a per diem basis, as needed (copy of contract on file).

September 27, 2011

Referral No. 2034

RESOLUTION NO. 545 OF 2011
GRANT PERMISSION FOR THE YOUTH BUREAU DIRECTOR,
SONIA BARTON, TO ATTEND THE ASSOCIATION OF NEW YORK STATE
YOUTH BUREAUS' 41ST CONFERENCE,

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Gross and unanimously adopted:

WHEREAS, the Youth Bureau Director, Sonia Barton, request permission to attend the Association of New York State Youth Bureaus' 41st Conference; and

WHEREAS, the Conference will be on October 27-28, 2011 in Albany, NY; and

WHEREAS, the program conference will focus on After School Program, youth development, dealing with bullies, changes in NYS Offices of Children and Family Services allocation of funds among other important topics; and

WHEREAS, the cost of the Conference is \$191.00 for hotel; and

WHEREAS, such request requires the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves the request from Sonia Barton, Youth Bureau Director, to attend the Association of New York State Youth Bureaus' 41st Conference, October 27-28, 2011 in Albany, NY, at a cost of \$191.00, plus any other related expenses.

Trustees Report

Economic Development – Trustee Leon

The Walgreen Building is almost up and ready.

Fire & Safety – Trustee Gross

The County met with O&R regarding safety issues – O&R is looking into ideas – Looking for safety volunteers. We just hired two great police officers for the Police Department.

Infrastructure – Trustee Delhomme

No Report

Youth & Recreation – Deputy Mayor Desmaret

Pleased to announce that Babbin Court is under construction and should be completed this year. Kennedy Park, Phase I (inaudible) completed and damage by Hurricane Irene and Phase II plant & (inaudible), Memorial Park- we will have a tree and shrubbery planting on October 8th from 9 a.m.-1:00 p.m., we need volunteers.

ADJOURNMENT IN MEMORY OF
ORVILLE JOHNSON

Deputy Mayor Desmaret offered the following memorial, which was seconded by Trustee Leon and unanimously approved:

September 27, 2011

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Orville Johnson, May 31, 2011.

**ADJOURNMENT IN MEMORY OF
ALICE HAND**

Deputy Mayor Desmaret offered the following memorial, which was seconded by Trustee Leon and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Alice Hand, August 18, 2011.

**ADJOURNMENT IN MEMORY OF
MORRIS SCHARF**

Deputy Mayor Desmaret offered the following memorial, which was seconded by Trustee Leon and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Morris Scharf, August 21, 2011.

**ADJOURNMENT IN MEMORY OF
PATRICIA DANTICO**

Deputy Mayor Desmaret offered the following memorial, which was seconded by Trustee Leon and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Patricia Dantico, August 3, 2011.

**ADJOURNMENT IN MEMORY OF
CARMEN DELIA LARCUENTE**

Deputy Mayor Desmaret offered the following memorial, which was seconded by Trustee Leon and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Carmen Delia Larcuente, September 1, 2011.

September 27, 2011

**ADJOURNMENT IN MEMORY OF
MARIA CZEKAWSKI**

Deputy Mayor Desmaret offered the following memorial, which was seconded by Trustee Leon and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Maria Czekawski, September 7, 2011.

**ADJOURNMENT IN MEMORY OF
ALEKSANDRA ZIMOVETS**

Deputy Mayor Desmaret offered the following memorial, which was seconded by Trustee Leon and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Aleksandra Zimovets, September 17, 2011.

**ADJOURNMENT IN MEMORY OF
BENITA PARKER**

Deputy Mayor Desmaret offered the following memorial, which was seconded by Trustee Leon and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Benita Parker, September 23, 2011.

**ADJOURNMENT IN MEMORY OF
SHIRLEY LEVIN**

Deputy Mayor Desmaret offered the following memorial, which was seconded by Trustee Leon and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Shirley Levin, September 23, 2011.

**ADJOURNMENT IN MEMORY OF
MICHAEL PALUMBO**

Deputy Mayor Desmaret offered the following memorial, which was seconded by Trustee Leon and unanimously approved:

September 27, 2011

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Michael Palumbo, September 25, 2011.

**RESOLUTION NO. 546 OF 2011
ADJOURNMENT**

Deputy Mayor Desmaret offered the following memorial, which was seconded by Trustee Leon and unanimously approved:

RESOLVED, that the meeting of the Village of Spring Valley Board of Trustees is hereby adjourned to Tuesday, October 11, 2011, at eight o'clock in the evening.

Respectfully Submitted,
Sherry M. Scott
Village Clerk
